

ALLIA.62CP2C2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Trevino et al.)
Serial No. : 09/941,395)
Filed : August 28, 2001)
For : STABILIZED GAS EMULSIONS)
CONTAINING PHOSPHOLIPID)
FOR ULTRASOUND CONTRAST)
ENHANCEMENT)
Examiner : Hartley, M.)
Group Art Unit : 1616)



I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Arlington, VA, 22313-1450, on:

April 29, 2004

Lurn Sng

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is a Petition pursuant to 37 CFR 1.181(a) from Examiner's Holding of Abandonment in the above-identified application. No fee is believed due.

Enclosed are:

- (X) A Petition with Exhibits in 11 pages.
- (X) A return postcard.
- (X) If there are any questions concerning this response, please call the undersigned at the number stated below.

Respectfully submitted,

Dated: 4/28/04

John Wurst
Registration No. 40,283
(858) 410-5174

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Examiner	:	M. Hartley)	

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April 29, 2004
(Date)
Lauren Sng
Lauren Sng

Petition Pursuant to 37 CFR 1.181(a) From Examiner's
Holding of Abandonment of the Application

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully request the withdrawal of the holding of abandonment of the above-identified patent application as stated per the Notice of Abandonment dated April 20, 2004. Applicants filed on February 27, 2004, a response to the outstanding Office Action along with a five month extension of time. Approximately one month after filing the response, applicants' attorney received back the envelope with the undelivered response inside with a notice stating that there was "no such street; unable to forward". However the address written

Appl. No. : 09/941,395
Filed : August 28, 2001

on the envelope was:

"Commissioner of Patents
P.O. Box 1450, Arlington, VA
22313 - 1450"

and included sufficient postage. According to the Official Gazette Notice dated May 1, 2003, (accessible on the USPTO website), the correct address to send an amendment with fees is the address to which the response was sent and: "If no mail stop is included on the list below, then no mail stop is required for the correspondence (e.g., there is no mail stop for amendments with fees)." OG, May 1, 2003.

Applicant is unclear as to why the response to the Office Action was undelivered and believes it was a mistake of the United States Post Office. Applicant is also enclosing the actual envelope as it was returned to applicant as Exhibit A. If necessary, applicants' attorney will swear to the above facts.

This Petition is being filed within two months of receipt of the Notice of Abandonment. If this Petition is accepted, applicants respectfully request that the amendment in Exhibit B be entered.

In the case that this petition is denied and a Petition to Revive pursuant to 37 CFR 1.137(b) becomes necessary, applicants respectfully request that the actual envelope enclosed in Exhibit A be maintained in the file so it can be obtained later by applicants if necessary.

If there are any questions concerning this response,

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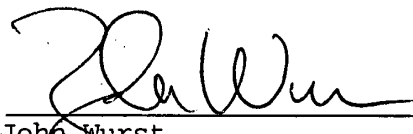
applicants' attorney can be reached at the telephone number stated below.

Respectfully submitted,

Dated:

4/28/04

By:



John Wurst
Registration No. 40,283
Attorney of Record
6175 Lusk Blvd.
San Diego, CA, 92121
(858) 410 - 5174